



# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/766,873
Filing Date	January 19, 2001
First Named Inventor	Su
Art Unit	1652
Examiner Name	R. Hutson
Attorney Docket Number	104385.132

## This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☒ Other Applicants request non-entry of amendments filed 10/3/03 and 12/8/03.
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-0219
- a. ☒ RCE fee required under 37 CFR 1.17(e) 02/04/2004 HVUON61 00000032 080219 09766873
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 DA
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Belinda M. Lew	Registration No. (Attorney/Agent)	53,212
Signature	<i>Belinda M. Lew</i>	Date	2/3/04

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

SU et al.

Serial No.: 09/766,873

Filed: 19 JANUARY 2001

FOR: FLAVOBACTERIUM  
HEPARINUM EXPRESSION  
SYSTEM

Group Art Unit: 1652

Examiner: R. HUTSON

Atty. Dkt. No. 104385.132 US2

Mail Stop RCE  
Commissioner for Patents  
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**AMENDMENT ACCOMPANYING  
REQUEST FOR CONTINUED EXAMINATION**

This Amendment is responsive to the Advisory Action dated January 6, 2004. It is believed that no extensions of time are necessary to file this response. However, in the event that such an extension of time is necessary, the Commissioner is authorized to charge the necessary fee for extending the time period to Deposit Account No. 08-0219 in order to maintain the pendency of this application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.



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RCE/1652  
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**HALE AND DORR LLP**  
C O U N S E L O R S   A T   L A W

haledorr.com

THE WILLARD OFFICE BUILDING  
1455 PENNSYLVANIA AVENUE, N.W. • WASHINGTON, D.C. 20004-1008  
202-942-8400 • FAX 202-942-8484

February 3, 2004

**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re:    Applicants:    Su et al.  
      Serial No.:    09/766,873  
      Filed:        19 January 2001  
      Entitled:     *Flavobacterium Heparinum Expression System*  
      Our Ref:      104385.132

Dear Sir:

Enclosed herewith for appropriate action by the United States Patent and Trademark Office are the following documents:

1.    Transmittal Letter and Fee Transmittal;
2.    Request for Continued Examination (RCE) Transmittal;
3.    Amendment Accompanying Request for Continued Examination; and
4.    Postcard evidencing the same.

The Commissioner is hereby authorized to charge the RCE fee under 37 C.F.R. § 1.17(e) of \$385.00 to Deposit Account No. 08-0219. The Commissioner is also authorized to charge any additional necessary fees or credit any overpayments to Deposit Account No. 08-0219 to maintain the pendency of the present application.

Respectfully submitted,

Belinda M. Lew  
Registration No. 53,212